

UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF VERMONT

JONATHAN A. BLOOM, )  
Plaintiff, )  
 )  
v. ) Civil No. 5:16-cv-121  
 )  
ALEX M. AZAR II, )  
Secretary, U.S. Department )  
of Health and Human Services, )  
Defendant. )

**UNOPPOSED MOTION FOR A STAY OF ALL DEADLINES IN LIGHT OF LAPSE  
IN THE DEPARTMENT OF JUSTICE'S APPROPRIATIONS**

The Defendant, Alex M. Azar, II, Secretary of the United States Department of Health and Human Services (“the Secretary”), hereby moves for a stay of all deadlines in the above-captioned case for the reasons set forth below.

1. At midnight on December 21, 2018, the continuing resolution that had been funding the Department of Justice expired and appropriations to the Department lapsed. The Department does not know when funding will be restored by Congress.
2. Absent an appropriation or continuing resolution, Department of Justice civil division attorneys are prohibited from working, even on a voluntary basis, except in limited circumstances, such as “emergencies involving the safety of human life or the protection of property.” *See* 31 U.S.C. § 1342.
3. Undersigned counsel for the Department of Justice therefore requests a stay of the deadlines in this litigation until Congress has restored appropriations to the Department.
4. If this motion for a stay is granted, counsel for the Government will notify the Court as soon as Congress has appropriated funds for the Department or enacted another continuing resolution. The Government requests that, at that point, any deadlines be extended commensurate with the duration of the lapse in appropriations.

5. Opposing counsel has authorized the Government to state that the Plaintiff will not oppose this motion for stay pending the conclusion of the lapse in appropriations.

The Government regrets any disruption caused to the Court and Plaintiff. However, the Government respectfully moves for a stay of the deadlines in this case until Department of Justice attorneys are permitted to resume their usual civil litigation functions.

Dated at Burlington, in the District of Vermont, this 16<sup>th</sup> day of January, 2019.

Respectfully submitted,

UNITED STATES OF AMERICA

CHRISTINA E. NOLAN  
United States Attorney

By: /s/ *Melissa A. D. Ranaldo*  
MELISSA A.D. RANALDO  
Assistant U.S. Attorney  
P.O. Box 570  
Burlington VT 05402-0570  
(802) 951-6725  
[Melissa.Ranaldo@usdoj.gov](mailto:Melissa.Ranaldo@usdoj.gov)

Of Counsel:

ROBERT P. CHARROW  
General Counsel

JAN B. BROWN  
Acting Chief Counsel, Region I

JILL L. STEINBERG  
Assistant Regional Counsel  
Department of Health and Human Services  
J.F.K. Bldg., Rm. 2250  
Boston, MA 02203  
(617) 565-2381